

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

744I0582

SENATE BILL NO. 132

Introduced by: Senators Duenwald, Apa, Koskan, and Napoli and Representatives Klaudt, Lintz, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise the schedule of penalties for overweight vehicles.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 32-22-55 be amended to read as follows:

4 32-22-55. Any person who is convicted of the offense of operating a motor vehicle upon the
5 public highways of this state with weight upon any wheel, axle, or groups of axles or upon more
6 than one thereof greater than the maximum permitted by §§ 32-22-2 to 32-22-33, inclusive,
7 32-22-47 and 32-22-48 shall be fined in addition to, and not in substitution for, any other
8 penalties now provided by law for such offense in the following amounts:

9 In an amount equal to five cents per pound for each pound of such excess or combined
10 excess weight over one thousand pounds if such excess is three thousand pounds or less.

11 In an amount equal to fifteen cents per pound for each pound of such excess or combined
12 excess weight if such excess exceeds three thousand pounds and is four thousand pounds or less.

13 In an amount equal to twenty-two and one-half cents per pound for each pound of such
14 excess or combined excess weight if such excess exceeds four thousand pounds and is five
15 thousand pounds or less.



1 In an amount equal to thirty-seven and one-half cents per pound for each pound of such
2 excess or combined excess weight if such excess is more than five thousand pounds.

3 The fine schedule in this section is assessed at a single rate according to the cents per pound
4 penalty for the highest weight violation. The excess weight subject to penalty shall be decreased
5 by the weight tolerance error margin permitted for each scale.